Joint Staff National Disclosure Pol

rnational Negotiations and Multilateral Affairs Directo
Stability Operations and Security Assistance Division

Overview

- **J-5 Stability Operations & Security Assistance Division**
- **National Disclosure Policy Committee (NDPC)**
  - Membership
  - Responsibilities
- **Disclosure Processes**
- **Joint Staff Viewpoint**
- **Current Issues**

Stability Ops and Security Assistance

- **Foreign Disclosure**
- **National Disclosure Policy Committee (NDPC)**
- **Technology Transfer**
  - Exports (licenses)
  - Third party transfers
  - EDA
- **Security Assistance (FMF/IMET)**
- **Information Sharing**
- **Wassenaar and UN Register**
- **S/CRS (S-Coord for Office of Reconstruction & Stabilization)**
- **Capacity Building**

NDPC Membership

DUSD(TSP&C) Beth McCormick, Chair, NDPC

Executive Director, NDPC

General Members NDPC

- Secretary of State
- Secretary of Defense
- Secretary of the Army
- Secretary of the Navy
- Secretary of the Air Force

CJCS

- CENTCOM
- PACOM
- EUCOM
- NORTHCOM
- JFCOM
- SOCOM
- SOUTHCOM
- TRANSCOM
- STRATCOM

Special Members NDPC

- MDA
- CIA
- DSCA
- ASD (C3I)
- USD (AT&L)
- DOE
- DIA
- USD(P)
- ASD (NCB)
- NSA

NDPC Membership

- **JCS is a General Member of NDPC**
  - Disclosure Authority delegated to the Director of the Joint Staff
  - Director J-5 is responsible for designating the Joint Staff member to the NDPC
- **Joint Staff represents the Combatant Command views at the NDPC**
  - Warfighter's views not always in agreement with Services
  - Submits ENDP's on behalf the COCOMs
  - Coordinates Delegation of Authority from other NDPC members

JCS Process

- **ENDP requests are submitted from NDPC member via the National Disclosure Policy System**
- **JCS submits on behalf of COCOMs**
  - First is internal coordination on JS
  - Submit to NDPC
  - Normally 10 days for vote
- **JCS votes on other NDPC member requests**
  - Represents COCOMs and Joint Staff views
- **Total Consensus Process**
  - JS coordinating offices must agree; if not, then decision goes to Chairman, JCS
  - NDPC members must all concur

NDPC Member Actions

- **ENDP requests sponsored by Services or other voting members**
  - Every request coordinated with legal counsel and J-2
- **Challenges:**
  - Timely coordination; giving COCOMs enough time to review while still meeting NDPC/JS suspenses
  - Meaningful comments
  - Concurrence is a must

NDPC Member Actions

- **ENDP requests submitted by JS on behalf of the COCOMS**
  - First step: Review request; ensure format is correct and content is clear
  - Coordinate with J-staff: legal counsel, J-2, country/regional desks and others as needed
  - When we have concurrence within the JS, then prepare cover memo, assigned NDPC case number, and submit to NDPC
- **Challenges:**
  - Timely coordination
  - Meaningful comments
  - Concurrence is a must
  - Getting the final approval
  - **COCOMs need to allow at least one week for JS staff processing**

Disclosure Requests

- **Clearly define what you want to disclose**
- **Be specific**
- **Follow DODD Instructions (5230.11)**
- **Don’t wait until the last minute**
- **When planning events you know will include representatives of foreign governments, give yourself enough lead-time to get your information reviewed and cleared for release**
- **Don’t promise release when you don’t own the data**

Recent Challenges

- **Army planning an exercise with coalition partners using a scenario that is not releasable**
- **Interpreting release/disclosure options of CMI and equipment to certain governments**
- **NDP-1 does not address all countries in the coalition**
- **Information Sharing policies**
- **NVDs and C-IED technology**
  - High interest
  - Everyone wants one; not everyone can have one
- **Determining who should sponsor the ENDP request (Service or COCOM)**

Joint Staff Viewpoint

- **CMI is a National Security Asset**
- **We represent the Combatant Command on the NDPC and in the inter-agency process**
- **Concerns of the Combatant Commands must be fully integrated into disclosure decisions**
- **Must weigh competing economic and political concerns with legitimate defense needs**
- **Need to keep good working relationships with the Services**

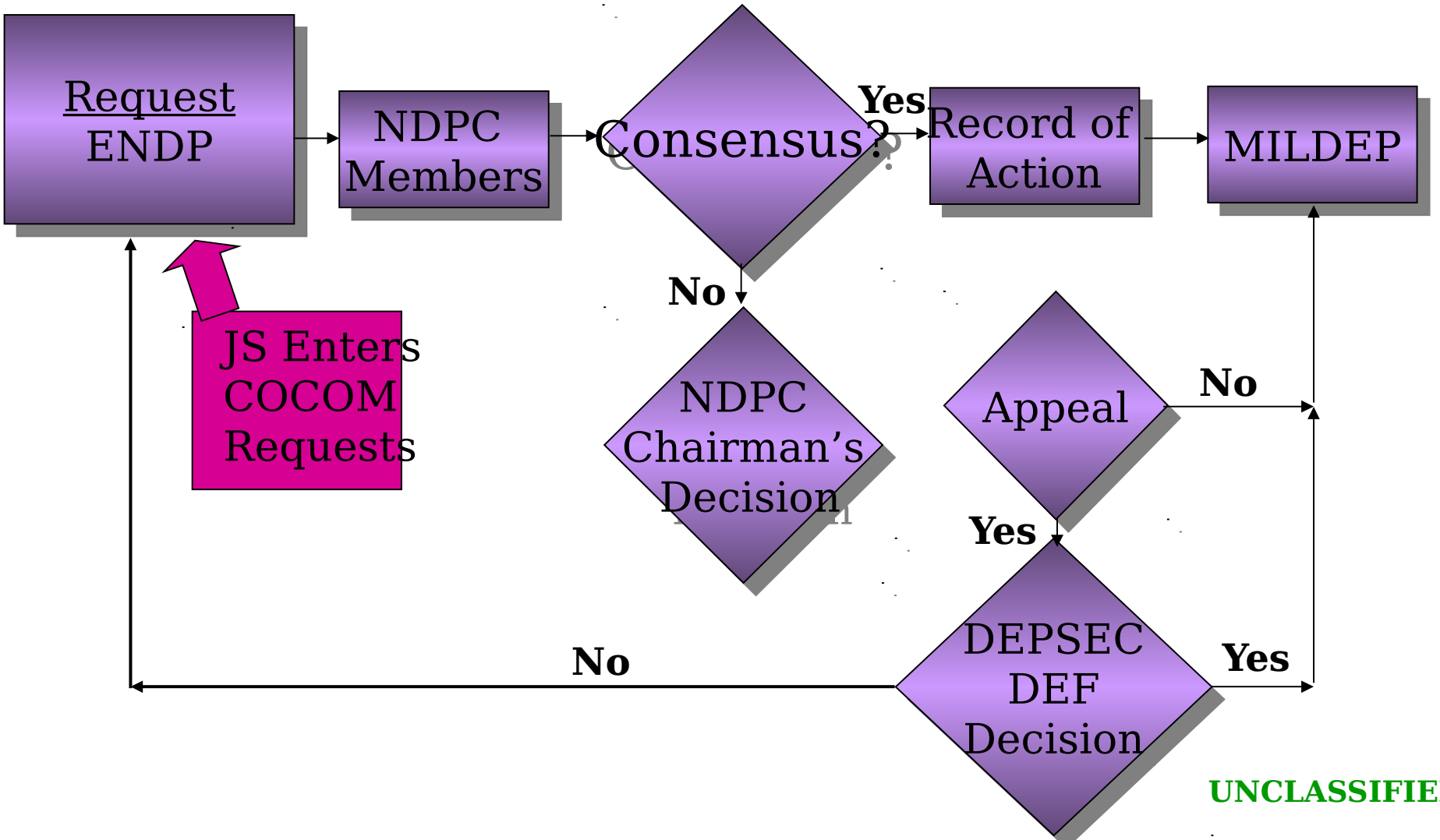
Current Issues

- **Training**
  - There is a need for disclosure training
  - Services should include in PME and other training avenues
  - Key leaders need to understand processes
  - Goal: improve awareness and standardization
- **Info Sharing with Coalition Partners**
  - Coalitions are a fact
  - OEF/OIE highlighted difficulties working with foreign forces; US only C2 systems detract from effective combined operations
  - Leadership needs to exercise existing authorities

Questions

Backup

ENDP Process



Disclosure Authorities

- **Secretary of the Army**
- **Secretary of the Air Force**
- **Secretary of the Navy**
- **Chairman of the Joint Chiefs of Staff**
  (Delegated to the Combatant Commanders)
- **Under Secretary of Defense for Policy**
- **Under Secretary of Defense for Acquisition. Technology and Logistics**
- **Assistant Secretary of Defense for C3I**
- **Director, Defense Intelligence Agency**
- **Director, Missile Defense Agency**

Disclosure Requests

- **Is the information classified?**
- **What does NDP-1 say about releasibility?**
- **Do you need an exception to policy?**
- **Does it meet criteria?**
  - Is it consistent with US foreign policy and national security objectives?
  - Is it consistent with US military and security objectives?
  - Will the foreign government give the information the same degree of protection as the US?
  - Will the disclosure result in a clearly defined advantage to the US?
  - Is the disclosure limited to information necessary to the purpose for which disclosure is made?